

GOVERNMENT OF TELANGANA  
A B S T R A C T

Public Services – Sri L.Karan, Ex-Gazetted H.M. ZPHS, Eturunagaram – Punishment of Dismissal from Service awarded by the RJD SE Warangal – Modifying the punishment of Dismissal from Service to that of Stoppage of Two Annual Grade Increments with Cumulative Effect - Orders - Issued.

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SCHOOL EDUCATION (SERVICES-1) DEPARTMENT

G.O.RT.No. 41

Dated: 08/03/2016.

Read the following :-

1. Proceedings of the RJD, School Education, Warangal, Proc.Rc.No.7121/A1/A3/2012, dt.18.10.2013.
2. APAT Interim Orders dt.13.12.2013, in O.A. No.8766 of 2013 filed by Sri L.Karan, H.M., ZPSS Eturunagaram, Warangal Dist.
3. Letter of Sri P.Balram Naik, the then Hon'ble Minister of State for Social Justice & Empowerment, GOI along with appeal petition of Sri L.Karan, Ex-Gazetted H.M., ZPSS Eturunagaram, received through the then M(SE), dt.09.02.2014.
4. From the Commissioner & Director of School Education, Telangana, Hyderabad. Lr.Rc.No.1251/Ser-III/2011, dt.04.09.2014.
5. Letter of Sri A. Chandulal, Minister for Tribal Welfare, Tourism & Culture, Govt. of Telangana, received through the OSD to C.M. vide No.OSD/CMP-2/2015, dated 28.01.2015.
6. Letter of Sri A.Chandulal, Hon'ble Minister for ST Development, Tourism & Culture, D.O.Lr.No.126/M(TW,T&C)/2015, dated 11.02.2015 received through the Hon'ble Dy.C.M.& M(Edn) vide Endt.No.72/Dy.C.M.Edn/15, dated 23.02.2015.
7. Letter of Sri A.Chandulal, Hon'ble Minister for ST Development, Tourism & Culture, D.O.Lr.No.95/M(TW,T&C)/2015, dated 19.02.2015 along with a Representation of Sri L.Karan, dated 19.02.2015 received through the Hon'ble Dy.C.M.& M(Edn) vide Endt.No.282/Dy.C.M.Edn/15, dated 16.04.2015.
8. From the Director of School Education, Telangana, Hyderabad. Lr.Rc.No.1251/C3-2/SER.III/2014, dt.02.07.2015 & 28.01.2016.

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ORDER:-

In the reference 1<sup>st</sup> read above, the Regional Joint Director of School Education, Warangal issued orders imposing the major punishment of Dismissal from Service on Sri L.Karan, former M.E.O., Chityal and former Gazetted H.M., ZPSS Eturunagaram, Warangal District as per Rule 9 (x) of C.C.A. Rules, 1991 and instructed to remit the misappropriated amount of Rs.3,93,050/- (Rupees Three Lakhs, Ninety Three Thousand and Fifty only) to the Government Account in lump sum immediately.

2. Aggrieved with the above orders, Sri L.Karan, Ex-HM, Z.P.S.S. Eturunagaram, Warangal District has filed O.A.No.8766/2013 before Hon'ble APAT praying to call for the records relating to and connected with impugned Proc.Rc.No.7121/A1/A3/2012, dt.18.10.2013 of the RJD SE, Warangal and set aside the same. The Hon'ble APAT in its interim orders dated 13.12.2013, suspended the Proceedings Rc.No.7121/A1/ A3/2012, dated 18.10.2013 of RJD SE, Warangal, until further orders. The RJD SE, Warangal filed a Vacate Petition which is still pending. A Criminal Case is under investigation vide C.C.No.491/2010, which was filed against Sri L.Karan, alleging that he committed two offences, one is misappropriation of Government funds and another one is submitting bogus challans to escape punishment. The Accused Officer is not reinstated into service.

3. In the references 3<sup>rd</sup>, 5<sup>th</sup> & 7<sup>th</sup> read above, Sri L.Karan, Ex-Gazetted H.M., ZPSS Eturunagaram, Warangal District has requested the Government to set-aside the punishment of Dismissal from Service and requested to

reinstate him into service on humanitarian grounds. In his representation 3<sup>rd</sup> cited, he has mainly raised the issue that the inquiry was not conducted by the Dy.E.O. as per procedure, because he did not record any statement of the witness mentioned in the Charge Memo. and no corroborative evidence of any documentary evidences was recorded. Only an oral enquiry was conducted by him.

4. It is noticed that in the Charge Memo. issued by the RJD SE, Warangal, the Articles of Charge have not been framed correctly as per procedure and the amount misappropriated is also not mentioned in the Charge. Further, in the Enquiry report of the Deputy Educational Officer, Mahabubabad, the other Charges apart from misappropriation of Mid Day Meal funds mentioned in the Articles of Charge by the RJD such as irregular payment of salary to the absconded teacher etc., are not discussed at all.

5. Moreover, the Enquiry Report of the Deputy Educational Officer, Mahabubabad furnished is not as per the procedure, wherein each Article of Charge is examined based on the Accused Officer's explanation and 'Finding' given whether the Charge is proved or not by taking into account the relevant statements of the witnesses and documentary evidences etc.

6. Further, Sri L.Karan has also mentioned that the misappropriated amount as alleged has been remitted to the Government Account.

7. The Commissioner & Director of School Education, Telangana, Hyderabad in the reference 4<sup>th</sup> read above, has reported that Sri L.Karan, Ex MEO Chityal, Warangal has remitted an amount of Rs.3,93,050/- (Rupees Three Lakhs, Ninety Three Thousand and Fifty only) to the Government through recovery of salary from July 2012 to October 2013 for an amount of Rs.59,840/- (Rupees Fifty Nine Thousand, Eight Hundred and Forty only) and through Challan No: 97388, dt.25.03.2014 for an amount Rs.50,000/- (Rupees Fifty Thousand only) and through Challan No.10164, dt.21.05.2014 for an amount of Rs.2,83,210/- (Rupees Two Lakhs, Eighty Three Thousand, Two Hundred and Ten only). Further, the Head Master, Z.P.S.S., Eturunagaram has submitted a report with regard to the remittance of the amount from Sri L.Karan's salary for Rs.59,840/- (Rupees Fifty Nine Thousand, Eight Hundred and Forty only) and the District Treasury Officer, Warangal issued reconciliation statement that the challans paid by the Accused Officer are genuine and remitted to the Government Head of Account.

8. In view of the above facts and circumstances of the case, Government, after careful examination of the entire matter, hereby modify the punishment of "Dismissal from Service" imposed on Sri L. Karan, Ex-Gazetted Head Master, ZPSS Eturunagaram, Warangal District to that of "Stoppage of 2 (Two) Annual Grade Increments with Cumulative Effect" duly reinstating him into service on humanitarian grounds, subject to the outcome of the Criminal Case filed against him vide C.C.No. 491/2010 and the O.A.No.8766/2013 pending in the Hon'ble A.P.A.T.

9. The Director of School Education, Telangana, Hyderabad shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

RANJEEV R. ACHARYA,  
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To  
The Director of School Education, Telangana, Hyderabad.  
Sri L.Karan, Ex-Gazetted H.M., Eturunagaram, Warangal Dist.  
through the DSE, T.S., Hyderabad.

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Copy to

The Telangana Vigilance Commission, Secretariat, Hyderabad.  
The Regional Joint Director of School Education, Warangal.  
The Accountants' General, A.P. and Telangana, Hyderabad.  
SC/SF.

//FORWARDED BY ORDER//

SECTION OFFICER